

MEMORANDUM OF POINTS AND AUTHORITIES

William L. Gavras brings this Motion to Withdraw as Counsel of record for the Defendant due to the fact that the attorney-client relationship is irretrievably broken.

This request is made in compliance with the spirit and letter of the Model Rules of Professional Conduct, as contained in Title 7 of the Guam Code Annotated, in particular, Rule 1.16 Subsection [a] which reads in part:

[a] Except as stated in paragraph (c), a lawyer shall not represent a client or, where representation has commenced, shall withdraw from the representation of a client if: 1. The representation will result in violation of the Rules of Professional Conduct or other law; 2. The lawyer's physical or mental condition materially impairs the lawyer's ability to represent the client; or 3. The lawyer is discharged.

The Defendant will not communicate with counsel and thus counsel cannot competently represent Defendant.

Dated: January 29, 2008.

LAW OFFICES OF WILLIAM L. GAVRAS

By: 

WILLIAM L. GAVRAS, ESQ.
Attorney for Defendant
NATHANIEL DIAZ PUNZALAN